

APPROVED 06.03.2009

**Chadds Ford Township Board of Supervisors Meeting
May 4, 2009
M I N U T E S**

OFFICIALS PRESENT: George M. Thorpe, Chairman
Deborah F. Love, Vice Chairman
Garry Paul, Supervisor
Joseph Barakat, Township Manager
Kathryn Luce Labrum, Acting Township Solicitor
Joseph A. Mastronardo, Township Engineer
Richard J. Jensen, Zoning Officer/Building Inspector
Maryann D. Furlong, Secretary/Treasurer

CALL TO ORDER

The meeting was called to order at 7:40 PM with the reciting of the Pledge of Allegiance. Mr. Thorpe pointed out emergency exits.

STATE POLICE REPORT

Trooper Timothy Greene, Media Barracks, Pennsylvania State Police, reviewed police activity during April. There were twenty-eight burglar alarm calls, fifteen automobile crashes, five disturbances (one domestic) and four thefts from motor vehicles.

Debbie Reardon, Tally Ho Drive, remarked that there are still issues with cars ignoring stop signs at the intersection of Heyburn and Ridge Roads. Trooper Greene suggested she contact Sergeant Fisher, Patrol Commander, who can add coverage to a specific area at various times.

MOTION TO APPROVE BOARD OF SUPERVISORS MINUTES OF APRIL 1, 2009

Upon motion and second (Love, Paul), Supervisors approved minutes of the April 1, 2009 meeting, draft dated 4.26.09.

SUPERVISORS REPORT

The entire Board met on April 13th to discuss procedures for the Township Manager. Mr. Paul and Mr. Thorpe met on April 15th in Strasburg with members of the Pennsylvania Historic and Museum Commission to discuss the Brandywine Battlefield. Supervisors met again on May 2nd to discuss personnel and legal matters.

Mr. Thorpe announced a public forum to discuss the proposed closure of the Brandywine Battlefield will be sponsored by Senate Majority Leader Dominic Pileggi. The forum is scheduled for May 18, 2009, from 6 – 8 PM and will be held at the Brandywine River Museum's Lecture Room.

REPORTS

MANAGER'S REPORT

Mr. Barakat submitted a written report (including road and emergency management issues), and made special mention of upcoming work on Marshall Road which will be closed daily from late May through early June from 9 AM through 3 PM.

TREASURER'S REPORT

Mrs. Furlong reported the following figures as of April, 2009:

Total deposits to General Fund	\$	310,179.49
Total disbursements General Fund	\$	70,372.25
Total disbursements Escrow Fund	\$	14,503.40
Cash Accounts Balances	\$	2,657,007.96

MOTION TO APPROVE TREASURER'S REPORT

Upon motion and second (Paul, Love), Supervisors approved the Treasurer's Report for April, 2009 and authorized payments in the amount of \$70,372.25.

MOTION TO APPROVE RELEASE OF ESCROW FUNDS

Upon motion and second (Paul, Love), Supervisors approved release of \$14,503.40 in escrow funds as listed in the Treasurer's Report.

BUILDING INSPECTOR/CODE ENFORCEMENT OFFICER

Mr. Jensen submitted a written report and fee checks for the month of April. Ms. Love reviewed recent events concerning illegal signage at the Cattie Shack store in the Village. At the instruction of the Board, Mr. Jensen was citing the owner for non-compliance. In a show of good faith, Supervisors agreed to withdraw the action. Mr. Jensen has prepared a letter informing District Court.

Mr. Jensen reported several other sign issues including banners at a carpet store on Route 202, the cleaner's at Olde Ridge Village and the Inspiring Homes store. He will follow up.

TOWNSHIP ENGINEER REPORT

A report was submitted summarizing activities during April, 2009 (report follows).

Mr. Mastronardo reviewed provisions of proposed updates to the sign ordinance including lighting and billboards in residential and commercial zoning districts. Mr. Barakat stated that an additional section still needs to be reviewed by Planning Commission and the Township Solicitor.

The Township Engineer recommended the following escrow releases:

MOTION TO APPROVE IMPROVEMENT SECURITY ESCROW RELEASE #1 – CALVARY CHAPEL

Upon motion and second (Paul, Love), Supervisors approved Escrow Release #1 for completed public improvements at the Calvary Chapel site, Brandywine Drive, in the amount of \$289,179.67, which security is in the form of a letter of credit.

FISHER CARPET IMPROVEMENT SECURITY ESCROW RELEASE #4 FINAL

Ms. Love asked if there have been any further complaints regarding the ponds at Concord Country Club relative to stormwater runoff from the Fisher project. Mr. Mastronardo replied that there have not been any issues because the site is now stabilized and there should be nothing in the future.

MOTION TO APPROVE IMPROVEMENT SECURITY ESCROW RELEASE #4 FINAL – FISHER CARPET

Upon motion and second (Paul, Thorpe), Supervisors approved Escrow Release #4, Final, for completed public improvements for the Fisher Carpet project on Route 202, in the amount of \$64,630.85, which security is in the form of a letter of credit.

**COMMITTEE and SERVICE REPORTS
FINANCIAL ADVISORY BOARD**

A report was not available.

SEWER AUTHORITY

A written report for the Sewer Authority was submitted (copy follows).

Amanda Konyk, Sewer Authority member, asked Supervisors to support and authorize a special study to analyze the possibility of converting the Ridings Wastewater Treatment Plant to a pump station that would forward sewage to the Turner's Mill Wastewater Treatment Plant.

Mr. Paul added that DEP is concerned with conditions at the Ridings WWTP. Mr. Barakat read the proposed Resolution (copy follows).

MOTION TO APPROVE RESOLUTION 2009-16 APPROVING SPECIAL STUDY RE RIDINGS WWTP

Upon motion and second (Love, Paul), Supervisors approved Resolution 2009-16, supporting a special study for the Ridings Wastewater Treatment Plant.

PLANNING COMMISSION

Chairman William Taylor submitted a written report (copy follows).

ZONING HEARING BOARD

A written report was submitted (copy follows). Mr. Jensen reported that the Kaesar pool application was approved as was the PNC signage application with revisions.

HARB

Sanderson Museum representatives appeared before HARB to ask for information regarding repainting.

OPEN SPACE COMMITTEE

Mrs. Reardon stated that the DCNR Grant has been filed.

LIBRARY REPORT

No report was available.

FIRE MARSHALL

No report was available

NEW BUSINESS

SUBDIVISION APPLICATION OF LEWIS AND MARIE HALL - 243 HEYBURN ROAD

Jim Fritsch, PE, Register Associates, reviewed the subdivision application of Lewis and Marie Hall, 243 Heyburn Road. The plan proposes two new building lots with public sewage and on-site water.

Mr. Fritsch asked Supervisors to adopt a resolution regarding the Planning Module so it may be forwarded to DEP for review. He also requested preliminary/final subdivision approval. Mr. Fritsch reviewed the proposed Resolution with the Halls who were in agreement with all conditions except a portion of number 4 regarding the purchase of required EDUs from the Sewer Authority.

Mr. Hall stated that they cannot afford the \$30,000 to \$32,000 tapping fees at this time. There are no current plans to sell the lots. Mr. Hall stated that he was very cooperative with the Township in agreeing to grant easements when the sewer line was installed.

Mr. Paul commented that Sewer Authority has created systems in the past without any "sunset clauses," leading to fiscal problems. Since that time, the Authority has determined that anyone who has asked for dedication of capacity must pay for the EDUs upon final land development approval. Supervisors suggested the matter be tabled if the Halls cannot agree to all conditions.

Mr. Fritsch asked that the Board approve the Planning Module, but pass any decision on the subdivision application until the next Board meeting on June 3, 2009. If the issue cannot be resolved by the next Board meeting, the applicant will agree to an extension of the MPC clock. Mr. Barakat read the Planning Module Resolution into the minutes (copy follows).

MOTION TO APPROVE RESOLUTION 2009-17 – HALL SUBDIVISION APPLICATION DEP PLANNING MODULE SUBMISSION

Upon motion and second (Love, Thorpe), Supervisors approved Resolution 2009-17 for Plan Revision for New Land Development for the property located at 243 Heyburn Road.

ROSE TREE DEVELOPMENT SEWAGE FACILITY PLANNING MODULE

Upon recommendation of the Township Manager, Supervisors approved submission of the Planning Module application to DEP.

MOTION TO APPROVE RESOLUTION 2009-25 – ROSE TREE DEVELOPMENT DEP PLANNING MODULE SUBMISSION

Upon motion and second (Love, Thorpe), Supervisors approved Resolution 2009-25 for Plan Revision for New Land Development for the property located at 191 Ridge Road.

PUBLIC COMMENT

Debbie Reardon, Tally Ho Drive, commented that Beaver Tree Nursery is posting signs throughout the Township in violation of Township codes.

Bonnie Taylor, Webb Road, asked if the Township has any liability for the Fire Marshall's vehicle. The Solicitor replied it did not.

OLD BUSINESS

Temporary Sign Permits

Katherine Labrum, Acting Township Solicitor, reviewed provisions 1. through 8. of a proposed Resolution to Allow Exemptions from the Chadds Ford Township Temporary Sign Regulations (copy follows).

MOTION TO APPROVE RESOLUTION 2009-18 – TO ALLOW EXEMPTIONS FROM THE CHADDS FORD TOWNSHIP TEMPORARY SIGN REGULATIONS

Upon motion and second (Paul, Thorpe), Supervisors adopted Resolution 2009-18 to Allow Exemptions from the Chadds Ford Township Temporary Sign Regulations.

Mr. Thorpe asked Mr. Barakat to notify appropriate Township Committees regarding the new regulations and to schedule a meeting with members of the Chadds Ford Business Association.

NEW BUSINESS

BRANDYWINE YOUTH CLUB REQUEST

Ms. Love reported that representatives of the Brandywine Youth Club have asked the Township to contribute to their Growth Project to support construction of a new facility on Thornton Road in Concord Township. There are currently 235 Chadds Ford Township children active in BYC. Ms. Love asked the Supervisors to consider making a donation.

APPOINTMENTS

Planning Commission

Mr. Barakat's resignation created a vacancy on the Planning Commission. Supervisors asked William Mock, Jr., Heyburn Road, to accept the appointment. Mr. Mock agreed and gave a brief review of his background.

Emergency Preparedness Coordinator

Mr. Barakat resigned as Chairman of the Emergency Preparedness Committee to accept the appointment as Emergency Management Coordinator.

Chair, Emergency Preparedness Committee

Jon Trigg, Ring Road, has accepted the appointment as Chairman of the Emergency Management Committee, term to run through December 31, 2009.

Administrative Resolutions

Children's Mental Health Awareness Week – Resolution 2009-19

Ms. Love read the proposed Resolution into the record (copy follows) and further stated that the purpose of the resolution is to promote increased public awareness of the important issue of mental health.

MOTION TO APPROVE RESOLUTION 2009-19 CHILDREN'S MENTAL HEALTH AWARENESS WEEK

Upon motion and second (Love, Thorpe), Supervisors approved Resolution 2009-19 and declared May 3rd through 9th to be Children's Mental Health Awareness Week in Chadds Ford.

DNB First

At the recommendation of the Township Manager, Supervisors adopted the following resolutions regarding electronic banking and issuance of a business credit card.

MOTION TO ADOPT RESOLUTION 2009-20 – ELECTRONIC RETRIEVAL OF BANK STATEMENTS

Upon motion and second (Love, Paul), Supervisors adopted Resolution 2009-20 authorizing Deborah F. Love, Vice Chairman; Joseph Barakat, Township Manager, and Maryann Furlong, Township Secretary/Treasurer, to access bank statements electronically.

MOTION TO ADOPT RESOLUTION 2009-21 – FUNDS TRANSFER

Upon motion and second (Love, Paul), Supervisors adopted Resolution 2009-21 authorizing Maryann Furlong, Township Secretary/Treasurer, to transfer funds electronically as directed by the Supervisors and Financial Advisory Board.

MOTION TO ADOPT RESOLUTION 2009-22 – CREDIT CARD

Upon motion and second (Love, Paul), Supervisors adopted Resolution 2009-22 authorizing DNB Bank to issue a business credit card for use by Mr. Barakat, Township Manager, for Township related expenses.

MOTION TO ADOPT RESOLUTION 2009-23 – MILEAGE REIMBURSEMENT

Upon motion and second (Love, Paul), Supervisors adopted Resolution 2009-23, setting the mileage reimbursement rate at \$.55 per mile for business trips taken outside Township borders for individuals authorized to conduct said business.

Authorization to Have Planning Consultant Update GIS Data

Mr. Barakat suggested authorizing Ray Ott to correct errors found in the GIS data set for Chadds Ford Township in conjunction with work being performed on the Comprehensive Plan.

MOTION TO ADOPT RESOLUTION 2009-24 – CORRECTION OF GIS DATA INCONSISTENCIES

Upon motion and second (Thorpe, Paul), Supervisors adopted Resolution 2009-24 authorizing Ray Ott & Associates to correct data inconsistencies in Township GIS data at his normal hourly rate, not to exceed \$1,000.

There being no further business, the regular meeting of the Board of Supervisors was adjourned at 9:17 PM.

Respectfully submitted,

MARYANN D. FURLONG
Township Secretary